



Administrative Progress Report (APR) February 2008

To: POST Commissioners and Advisory Committee Members

From: PAUL A. CAPPITELLI
Executive Director

The Administrative Progress Report (APR) is a monthly status report that informs POST Commissioners and the California law enforcement community of recent progress on POST projects and instructional programs under development, and other information of importance to our mission to continually enhance the professionalism of California law enforcement.

LOS ANGELES TIMES REPORTING REQUIREMENT

In August 2007, the California State Supreme Court ruled, pursuant to a 2002 California Public Records Act (CPRA) request, that POST must deliver specified peace officer information to the *Los Angeles Times* (*Times*) newspaper. The Supreme Court remanded the case to the Sacramento Superior Court. The State Supreme Court decision is available on the POST website at http://www.post.ca.gov/Whats_New/Supreme_Court_Decision.asp.

In January 2008, the Superior Court directed POST and the *Los Angeles Times* to file a “statement” with the court by February 15, 2008. To show movement toward compliance with the Supreme Court decision, POST issued instructions to all agencies to download a roster containing the names of officers covered by the court decision and indicate the names of officers to be protected from disclosure due to safety or security reasons. Agencies were advised that to protect names selected for redaction, some form of justification would be needed.

In a conference with *Times*’ legal counsel, it was agreed that POST would compile the information for submission to the *Times* during the week of March 3, 2008. On February 15, 2008, both POST and the *Los Angeles Times* submitted a status report to the court. By February 29, 2008, more than 535 agencies had reviewed the rosters and taken action to protect more than 2,300 names from disclosure. Approximately 105,000 names are contained in the 10-year period affected by the Supreme Court’s decision.

The information will be given to the *Times* during the first week in March. Protected names will be coded and the code numbers released to the *Times*. The actual names will be concealed unless directed otherwise by the Court. It is anticipated that agencies will have the opportunity to present their case for redaction before a judge orders release of protected names.

Yet to be resolved is the issue of POST's payment of the *Times*' legal costs associated with this lengthy litigation, and the issue of how challenges to redactions (by the *Times*) will be resolved. Legal counsel for POST and the *Times* continue to discuss details that will finalize this litigation.

For the entire month of February, POST staff from the Training Delivery and Compliance Services Bureau, the Information Services Bureau, and the Computer Services Bureau worked with agency representatives to compile the needed information, ensure that officers in sensitive or potentially hazardous assignments will be protected, and that the material ultimately submitted to the *Los Angeles Times* complies with the letter and intent of the Supreme Court decision.

Questions about the *Los Angeles Times*' reporting requirement may be directed to Assistant Executive Director Dick Reed, Executive Office, at (916) 227-2809 or Dick.Reed@post.ca.gov, or to Bureau Chief Dave Spisak, Information Services Bureau, at (916) 227-0539 or Dave.Spisak@post.ca.gov.

NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) FIVE-YEAR PLAN RELEASED BY THE NATIONAL INTEGRATION CENTER

In February 2008, the Federal Emergency Management Agency (FEMA) and the National Integration Center (NIC) Incident Management Systems Integration Division released the FY 2008 *NIMS Compliance Objectives and Metrics for States, Territories, Tribal Nations, and Local Governments* and the *Five-Year NIMS Training Plan* document.

The Compliance Objectives form the basis for NIMS compliance determinations for states and local governments. NIMS compliance directly impacts eligibility for Federal Preparedness funds. To implement the compliance objectives pertaining to NIMS Training, the NIC published the *Five-Year NIMS Training Plan*.

Significant changes occurred to the training requirements of ICS-300 and ICS-400. The minimum hourly training requirement for ICS-300 was set at 18 hours and the minimum hourly training requirement for ICS-400 was set at 14 hours, despite stakeholder response during the public comment period in September 2007. On a positive note, the NIC will allow state and local emergency management/response personnel to determine who within their organizations requires ICS-300 and ICS-400 training, based on local incident management organizational planning.

POST is working with the Office of Emergency Services (OES) and the State Fire Marshal to obtain written assurances from the NIC that anyone who completed federally-approved ICS-300 and ICS-400 training PRIOR to the release of these new standards is NIMS-compliant and does not need additional training. As further information is developed or obtained it will be posted on the website. The *Five-Year NIMS Training Plan* can be downloaded from the FEMA website at www.fema.gov/emergency/nims.

Questions about the National Incident Management System may be directed to Special Consultant Ken Whitman, Homeland Security Training Program, at (916) 227-5561 or Ken.Whitman@post.ca.gov.

STRATEGIC PLAN UPDATE PROCESS CONTINUES

The biennial update of POST's Strategic Plan continued into February with a meeting of statewide stakeholders. Approximately 80 participants met in San Diego for a two-day meeting. Participants were comprised of a cross-section of POST's stakeholders, including chiefs, sheriffs, labor representatives, trainers, academy directors, public safety dispatchers, college criminal justice/administration of justice personnel, and others. In advance of the meeting, participants received POST's existing strategic plan objectives with current status and proposed objectives from the December meeting of internal stakeholders.

For two days, the stakeholders worked to review existing objectives, comment on and prioritize new objectives proposed by staff, and to develop and prioritize new objectives. Following the meeting, all participants received draft copies of a report. Staff is working to finalize a Draft Strategic Plan to present to the Long Range Planning Committee in March and to the Advisory Committee and Commission in April.

Questions about the Strategic Plan Update may be directed to Assistant Executive Director Alan B. Deal, Standards and Evaluation Division, at (916) 227-2807 or Alan.Deal@post.ca.gov.

STUDY OF DRIVER TRAINING UNDERWAY

A comprehensive study of the effectiveness of all methods of driver training, authorized by the Commission at its January 2008 meeting, has begun. The ultimate objective of the study is to identify the most effective methods of driver training, costs and availability of such training, and to reduce officer deaths and injuries from collisions.

The study of driver training has six main components:

- Review and define the problem's extent and context,
- Review the academic and professional research literature relative to driver training methodologies to identify the state-of-the-art and best practices,
- Review the academic and professional literature relative to law enforcement collision causalities,
- Review law enforcement driver training programs from other states and countries to identify the current practices,
- Review the costs associated with driver training, and
- Compare the effects of different training methodologies by correlating training records with collision data.

Primary source data for determining training effectiveness consists of the training records for all officers receiving in-service driver training between 1998-2006 and the accident histories obtained from the Department of Motor Vehicle records. The cost analysis uses the contractual costs and start-up and maintenance expenses for both simulator and behind-the-wheel training methods. Alternative training methods will be obtained from a comprehensive literature review and by surveying member states of the International Association of Directors of Law Enforcement Standards and Training.

A Driver Training Advisory Council will review the study. A comprehensive report of progress to date will be presented to the Commission at the April 2008 meeting.

Questions regarding the driver training study may be directed to Senior Consultant Steve Craig, Training Program Services Bureau, at (916) 227-4887 or Steven.Craig@post.ca.gov, or to Senior Consultant Bryon Gustafson, Training Program Services Bureau, at (916) 227-3902 or Bryon.Gustafson@post.ca.gov.

TACTICAL MEDICINE CONFERENCE AT TREXPO WEST 2008 IN LONG BEACH

Emergency Medical Services Authority Interim Director Dan Smiley, POST Special Consultant Ken Whitman, and International School of Tactical Medicine Director Lawrence Heiskell, M.D. delivered presentations on the POST/Emergency Medical Services Authority (EMSA) Tactical Medicine Project at TREXPO West 2008 in Long Beach. TREXPO is an exposition that features tactical response equipment technology and services for law enforcement, military, and security agencies. The Tactical Medicine Conference has been a part of TREXPO since 2006. Over 100 participants attended this year's conference session to hear presentations geared for tactical medicine providers and team members.

POST and EMSA have been working together on the Tactical Medicine Project since November 2006. The 8-hour Tactical Medicine Course has been developed and certified to the Palm Springs Police Department and International School of Tactical Medicine (ISTM). The course has also been approved by EMSA and the Department of Homeland Security (DHS). It is currently the only tactical medicine course in the nation that has DHS approval.

The presentations detailed the scope of the Tactical Medicine Project and outlined the steps and timetable for presentation to both the POST and EMSA Commissions later this year. The presentation highlighted the goals and objectives of the project, the development of tactical medicine core competencies, and outlined the four phases of the overall project. Copies of the TREXPO 2008 PowerPoint presentations are available on the "What's New" section of the POST website.

Questions about the Tactical Medicine Project may be directed to Special Consultant Ken Whitman, Homeland Security Training Program, at (916) 227-5561 or Ken.Whitman@post.ca.gov. However, questions about the Tactical Medicine Course may be directed to Dr. Lawrence Heiskell, M.D., at (760) 880-4102 or by viewing the website at www.tacticalmedicine.com.

PUBLIC HEALTH EMERGENCIES TELECOURSE

POST, in collaboration with the California Department of Public Health, the Emergency Medical Services Authority, and the Office of Homeland Security has developed the *Public Health Emergencies* telecourse scheduled for release in April 2008. Editing is completed and subject matter representatives are reviewing the telecourse.

This telecourse deals with preparing law enforcement and public health agencies to work together in response to any public health emergency that could occur in California. The topical areas include pandemic planning, preparedness and response, impact on law enforcement agencies, preventive measures, mass fatalities, and government response to biological and chemical releases.

Questions about the *Public Health Emergencies* telecourse may be directed to Special Consultant Ken Whitman, Homeland Security Training Program, at (916) 227-5561 or Ken.Whitman@post.ca.gov.

STAFF INVESTIGATES TESTING OUTSIDE OF CALIFORNIA

In response to several inquiries from the military and California law enforcement agencies, staff is examining the possibility of administering the POST Entry-Level Law Enforcement Test Battery, commonly referred to as the Reading and Writing Test, to candidates in other states and to military personnel serving abroad. Although test security concerns prohibited this practice in the past, the development of the online testing system may make testing out-of-state candidates and deployed military personnel technically feasible. In February 2008, staff began investigating the possibility of partnering with the military to offer testing services to members of the military service who are nearing the end of their tour(s) of duty.

Questions about the POST Entry-Level Law Enforcement Test Battery may be directed to Personnel Selection Consultant Elizabeth Wisnia, Standards and Evaluation Services Bureau, at (916) 227-4830 or Elizabeth.Wisnia@post.ca.gov.

POST TO DEVELOP UPDATED TELECOURSE FOR HATE CRIMES TRAINING

The California POST Training Network (CPTN) has started development of a new Telecourse program based on its recently updated hate crimes guidelines. Designed for continuing professional training, this DVD video program will examine: 1) development of local agency policy, 2) the impact of hate crimes on at-risk populations, 3) victim support services, 4) hate crime response and investigation, 5) working with the community to prevent hate crimes, 6) developing hate crime training, 7) mandatory reporting requirements, and 8) ongoing agency responsibilities. The program, tentatively scheduled for release in summer 2008, will emphasize scenario-based content and will be available to basic training instructors as an instructional resource.

Penal Code Section 13519.6 encourages local, and requires state, law enforcement agencies to develop policies and train officers in the response, prevention, and reporting of hate crimes. The section was also the stimulus for POST's development of guidelines for agency policies and hate crime training curriculum.

Questions about the telecourse for hate crimes training may be directed to Senior Consultant Jody Buna, Training Program Services Bureau, at (916) 227-4896 or Jody.Buna@post.ca.gov.

SURVEY COMPLETED FOR DEVELOPMENT OF A MAJOR CASE MANAGEMENT TRAINING COURSE FOR MANAGERS AND EXECUTIVES

During February, a survey was completed regarding developing a major case management training course for executives and managers. The surveying was conducted pursuant to Strategic Plan Objective B.13, “Develop a major case management training course for managers/executives.”

Strong support for major case management training was exhibited. The findings point to a need for two new courses: one emphasizing the management of investigative staff and units, and the other course focusing on the intricacies of a complex, major case investigation.

Questions about training for major case management may be directed to Senior Consultant Tricia Chisum, Training Program Services Bureau, at (916) 227-4895 or Patricia.Chisum@post.ca.gov, or to Senior Consultant Gary Sorg, Center for Leadership Development, at (916) 227-2822 or Gary.Sorg@post.ca.gov.

POST ATTENDS CAPTO CONFERENCE

On February 19-21, 2008, the California Association of Police Training Officers (CAPTO) held its first conference since 2003. CAPTO collaborated with TREXPO to jointly participate in this conference in Long Beach. Attendance was over 200 persons. The CAPTO presentations included a Legal Update, Harassment & Workplace Discrimination Update, Advanced Training Manager Software, and POST Coordinators Update. The Palm Springs Police Department and POST staff presented portions of the Tactical Medicine Course at the conference. More than 100 persons attended the all-day presentation; preliminary reviews were excellent. In addition, vendors had displays of equipment and services to support agency activities and training.

Questions about the California Association of Police Training Officers conference may be directed to Bureau Chief Ed Pecinovsky, Training Delivery and Compliance Services Bureau, at (916) 227-4874 or Ed.Pecinovsky@post.ca.gov.

CALENDAR OF EVENTS ON THE POST WEBSITE

For security reasons, the POST Calendar of Events is located in the Flagship Network on the POST website. The Flagship Network is an electronic bulletin board for the Commission and sworn law enforcement personnel accessed through a user identification and password.

Information about obtaining access is located at http://www.post.ca.gov/library/p_ch/flagship_bb.asp. If you have access to the network but have forgotten your user identification or password, please send an email to clearinghouse@post.ca.gov.

LEGISLATIVE UPDATE - STATUS OF CURRENT LEGISLATION

The following are bills in Legislative Session 2007-08 on which the Commission has taken, or will consider taking, a position.

Bill # and Author	Title, Summary and Commission Position	Status of Bill
<u>AB 1769</u> (Galgiani)	Jury Service - Peace Officer Exemption: This bill exempts active peace officers from jury duty. Commission Position: Undetermined.	Assembly Public Safety (no date)
<u>AB 1855</u> (Portantino)	Public Safety Officers – Investigations and Interrogations: This bill amends the Peace Officer Bill of Rights. No statement made during interrogation by a public safety officer under duress, coercion, or threat of punitive action shall be admissible in any judicial proceeding. Commission Position: Undetermined at this time.	May be heard in Committee after 3/1/08
<u>AB 2028</u> (Solorio)	Fair employment: Peace Officers: Background Investigation: This bill would, notwithstanding existing law, allow a required background investigation into good moral character, including investigation into non-medical and non-psychological information, to be performed after a conditional offer of employment to be a peace officer to the extent not prohibited by federal law. Commission Position: Undetermined at this time.	May be heard in Committee after 3/20/08
<u>AB 2698</u> (Calderon)	Career Technical Education: Peace Officer Standards and Training: This bill would require the Superintendent to coordinate the development of model curriculum standards for a career technical education course of study relevant to training to become a peace officer by January 1, 2010, and would require the Commission to work in consultation and coordination with the Superintendent to develop the model curriculum standards.	May be heard in Committee after 3/25/08